

BURLINGTON, N. C.
ZONING ORDINANCE

SECTION 32.6: COMMERCIAL DISTRICTS

- A. B-1 Neighborhood Business Districts: The Neighborhood Business District is primarily intended to accommodate very low intensity office, retail, and personal service uses within predominately residential areas. The district is established to provide convenient locations for businesses that serve the needs of surrounding residents without disrupting the character of the neighborhood. Compatibility with nearby residences is reflected in design standards for both site layout and buildings. **(Amendment adopted May 21, 2002)**
1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used only for one or more of the uses indicated in the B-1 column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table and further subject to the following restrictions:
 - a. Restrictions on Uses: The following uses are not permitted within the B-1 District: industrial; manufacturing; wholesaling or jobbing; poultry and/or livestock killing; automobile sales, new and used; automobile accessory sales; mobile home sales; accessory structures sales (i.e. carport, storage buildings, etc.); outdoor sales of any kind except for plant sales; heavy machinery sales, open air sales (i.e. flea markets, etc.); tattoo parlor; and all other uses that are similar to those listed above. **(Amendment adopted May 21, 2002)**
 - b. Dwellings in B-1 Districts: No dwelling shall be erected in B-1 Districts except single-family dwellings meeting the requirements of the nearest residential district. In addition, each store front is permitted to have a maximum of two accessory single-family units located on the second floor of the building. These units shall observe the same setbacks and requirements as the principal building. **(Amendment adopted May 21, 2002)**
 2. Minimum Lot Area and Width: No minimum lot area or width is required. **(Amendment adopted May 21, 2002)**
 3. Lot Coverage Requirements: There is no lot coverage requirement.
 4. Height Limit: No building shall exceed a height of 32 feet. See Section 32.8 for measurements and exceptions.

5. Setbacks: No building shall be erected, reconstructed, altered or moved nearer to the property line than permitted by the following setbacks: **(Amendments adopted May 21, 2002)**
- a. Minimum Front Yard Setback: 15 feet from the property line
 - b. Minimum Side Yard Setback: No side yard setback shall be required except under the following conditions:
 - 1. When an opening occurs in the wall of a building adjacent to the side lot line, a minimum five-foot setback from the property line will be required.
 - 2. When a residence adjoins a side lot line, a setback of at least 15 feet from the property line shall be required.
 - 3. When a side yard abuts a street, a minimum side yard setback of 15 feet from the property line shall be required.
 - c. Minimum Rear Yard Setback: No rear yard setback shall be required except under the following conditions:
 - 1. When an opening occurs in the wall of a building adjacent to the rear lot line, a minimum five-foot setback from the property line will be required.
 - 2. When a rear yard abuts a residence, a 20-foot rear yard setback from the property line shall be required.
 - d. Average Front Yard Setback: If a building is being erected, reconstructed, altered or moved in an area where the average front yard setback is less than the minimum front yard setback of 15 feet, then the average front yard setback may be used. (To determine the average front yard setback for the area, take the average front yard setback of the existing structures within one block and on the same side of the street as the proposed new development location.)
6. Parking, Loading and Vehicular Storage Required: Off-street parking, loading and storage space for vehicles shall be provided as required by Sections 32.10:LL 32.11. Parking areas, loading areas and vehicle maneuvering areas may be located in required yards except that no such area shall be less than five feet from any interior property line and not less than 15 feet from any street line. Signs in connection with required parking, loading and vehicular storage shall be in accord with the regulations for B-1 Districts set out in Section 32.12 of this ordinance. **(Amendment adopted May 21, 2002)**

B. B-2 General Business Districts: General commercial districts are established to provide areas for a wider variety of commercial and service establishments than permitted in B-1 Districts as well as limited manufacturing and storage. The following regulations shall apply in all B-2 Districts:

1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used only for one or more of the uses indicated in the B-2 column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table. Multifamily dwellings erected, altered, moved to or maintained in a B-2 General Business District shall conform to the requirements of such dwellings in the MF-B Multifamily Districts. **(Amendment adopted November 6, 1979)**
2. Minimum Lot Area and Width: No minimum lot area or width is required.
3. Lot Coverage Requirements: There are no lot coverage requirements.
4. Height Limit: There is no height limit.
5. Minimum Setbacks: **(Amendment adopted March 16, 2004)**

Front setback - 50 feet

- a. No building shall be required to set back a greater distance than the minimum setback as determined B-2 Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.
6. Side Yards Required: No side yards shall be required except under the following conditions:
 - a. When buildings set back from an interior side lot line or when an opening occurs in the wall of a building adjacent to such lot lines: Under these conditions, a side yard at least five feet wide shall be provided.
 - b. When a Residential, Multifamily or OI District adjoins an interior side lot line: Under this condition, a side yard at least 15 feet wide shall be provided.

- c. When a side yard abuts a street: Under this condition, such side yard shall have a width at least equal to one-half the required front yard of the abutting lot on the side street, but in no case shall any such side yard be less than 15 feet wide nor shall the line of any such side yard be less than 40 feet from the centerline of the side street. See Section 32.8 for exceptions.
7. Rear Yards Required: None required for nonresidential uses, except where a rear yard abuts a public alley or a lot in a Residential, Multifamily or Office-Institutional District, a rear yard of at least 15 feet shall be provided. In no case where openings occur in the walls of buildings adjacent to a rear line or when rear yards are provided when not required shall the rear yard be less than five feet. **(Amendment adopted March 19, 1985)**
8. Parking, Loading and Vehicular Storage Required: Off-street parking, loading and storage space for vehicles shall be provided as required by Section 32.11. Such areas may be located in required yards provided that none shall be less than five feet from any street line and not less than five feet from any interior property line. **(Amendment adopted October 7, 1997)**
9. Signs Permitted: Signs permitted in B-2 Districts shall be in accord with the regulations for B-2 Districts set out in Section 32.12 of this ordinance.
- C. B-3 Central Business Districts: A Central Business District is established to serve as the hub of the City's commercial, financial, service, cultural and communications activities and to contain those activities which enhance its importance as a place for shopping, transacting business and entertainment. No off-street parking shall be required in this district. The following regulations shall apply in the B-3 District:
 1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used only for one or more of the uses indicated in the B-3 column of the uses indicated in the B-3 column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table. Multifamily dwellings altered, moved to or maintained in a B-3 Central Business District shall conform to the requirements for such dwellings in the MF-B Multifamily Districts.
 2. Minimum Lot Area or Width: No minimum lot area or width is required.
 3. Lot Coverage Requirement: There is no lot coverage requirement.
 4. Height Limit: There is no height limit.

5. Minimum Setbacks: **(Amendment adopted March 16, 2004)**

Front setback - 0 feet

- a. No building shall be required to set back a greater distance than the minimum setback as determined B-3 Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.

6. Side Yards Required: No side yards shall be required except under the following conditions:

- a. When Buildings Set Back From an Interior Side Lot Line or When an Opening Will Occur in the Wall of a Proposed Building to be Built on the Lot in Question Adjacent to Such Lot Lines: Under these conditions, a side yard at least five feet wide shall be provided.
- b. When a Residential, Multifamily or O-I District Adjoins an Interior Side Lot Line: Under this condition, a side yard at least 15 feet wide shall be provided. See Section 32.8 for exceptions.

7. Rear Yard Required: None required for non-residential uses, except where a rear yard abuts a public alley or a lot in a Residential, Multifamily or Office-Institutional District, a rear yard of at least 15 feet shall be provided. In no case where openings occur in the walls of buildings adjacent to a rear line or when rear yards are provided when not required shall the rear yard be less than five feet. Residential uses shall conform to MF-B Multifamily District requirements.

8. Parking, Loading and Vehicular Storage Required: No off-street parking shall be required. Off-street loading and storage space for vehicles shall be provided as required by Section 32.11:D. Parking and loading areas may be located in required yards provided that none shall be less than five feet from any street line and not less than five feet from any interior property line. **(Amendment adopted October 7, 1997)**

9. Signs Permitted: Signs permitted in the B-3 District shall be in accord with the regulations for the B-3 District set out in Section 32.12 of this ordinance.